

## REMARKS

On February 7, 2008 a telephone conference was held with Examiners Feild, Patel, Nguyen and Vu and Applicant's attorneys Gordon and Gallagher. At that time an agreement was reached regarding claim language and the agreed claim language was submitted by Fax transmission on February 11, 2008.

On February 12, 2008, the Examiner transmitted by Fax to the undersigned a newly proposed amendment which did not completely reflect the language agreed to during the telephone conference, in particular with regard to claim 11. On February 15, 2008, the Examiner issued an Interview Summary indicating that agreement had not been reached during the telephonic interview.

Subsequent efforts by the undersigned to determine why the claim language agreed to during the February 7 telephonic interview was no longer agreeable to the Examiner have been fruitless. The Examiner merely states that "they won't allow it" without identifying who "they" are. The Examiner's supervisors assured the undersigned that an explanation regarding claim 11 would be provided, but, to date, no explanation has been provided.

This amendment adopts the claim language proposed by the Examiner in the Fax transmission of February 12, 2008. It is believed that this amendment places the

application in condition for allowance. The Applicant reserves the right, however, to pursue additional claims in a continuation application.

In light of all of the above, it is submitted that all of the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

/Thomas A Gallagher/

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April 29, 2008